

**ANDOVER CONSERVATION COMMISSION MEETING MINUTES**  
**JANUARY 7, 2014**

Town of Andover  
36 Bartlet Street  
3<sup>rd</sup> Floor Conference Room  
7:48pm

**Conservation Members in Attendance:**

Chairman Donald Cooper, Commissioner Kevin Porter, Commissioner Phil Sutherland, Commissioner Alix Driscoll, and Commissioner Floyd Greenwood. Staff members present were Robert Douglas, Director of Conservation and Linda Cleary, Conservation Agent.

**SCHEDULED ITEMS:**

**9 Webster Street**

**Present in Interest: Charles Chory**

*Staff Recommendation: Approve.*

Public Hearing on a Request for Determination of Applicability filed by the Lawrence Rod and Gun Club under the Massachusetts Wetlands Protection Act, and/or Andover Wetlands Protection By-Law for the proposed demolition of existing gun range and installation of new gun range at 9 Webster Street.

Mr. Douglas presented this to the Commission. The filing for this project was prompted by an enforcement visit from staff and Commissioner Greenwood. The Applicant has begun demolition of the existing gun range and construction of a new gun range in the same footprint. The project is within 100 feet of BVW and currently under a cease and desist order from the Building Department. The new structure will be an open air structure with diminishing “windows” that are sequential. Mr. Chory provided the Commission with a picture depicting the completed project. Staff will add an Addendum to the conditions to include the EPA Regulations for lead removal and monthly site inspections.

Chairman Cooper asked for a Motion. Commissioner Driscoll made a Motion to Approve with Addendum as discussed; it was seconded by Commissioner Greenwood and unanimously approved.

### **83 Porter Road**

**Present in Interest: Bill MacLeod and Tara Wilson**

*Staff Recommendation: Continue.*

Public Hearing on a Request for an Amended Order of Conditions filed by Tara Wilson and Jason Ardizzone, under the Massachusetts Wetlands Protection Act and/or the Andover Wetlands Protection By-Law. The proposed changes include a new dwelling footprint, proposed pool with patio, reconfigured driveway, retaining wall, use of solar panels, revised grading and revised limit of work at 83 Porter Road.

Mr. Douglas presented this to the Commission. The original Order of Conditions issued for this lot contained Finding No. 4 that specified a 50 foot no structure setback; Finding No. 5 of a Wildlife Habitat on the property; Finding No. 6 of limited tree clearing; and Finding No. 9 of the marked no disturb zone. The proposed changes include moving the house outside the 50 foot no-structure setback, however it does expand the limit of work and impervious area. The solar panels are placed in an area that was previously approved to remain uncut. The expanded parking area is also placed in an area that was to remain uncut. Staff recommends Jeff Bridge review and comment on the changes. Staff to contact DEP regarding any setback requirements for solar panels and if a building permit is needed for the solar panels.

Mr. MacLeod presented the revised project to the Commission. The buyer for the lot would like a new configuration. All the setbacks have been met, the house is 50 feet from the wetlands and the retaining wall is 30 feet from the wetland. The limit of clearing has been expanded. Mr. MacLeod believed the limited clearing was mitigation for the setback waiver needed for the first design.

Chairman Cooper requested an overlay showing the previously approved plan and the proposed plan. Mr. MacLeod agreed to provide a mylar with the tree clearing and impervious surface differences.

Commissioner Porter was concerned with the increase in impervious area and no infiltration.

Chairman Cooper asked for a Motion. Commissioner Greenwood made a Motion to continue to February 4, 2014; it was seconded by Commissioner Driscoll and unanimously approved.

### **Burton Farm Drive, Enmore Street**

**Present in Interest: Chris Lovett**

*Staff Recommendation: Close Public Hearing and Issue Order of Conditions.*

Continued Public Hearing on a Notice of Intent filed by the Town of Andover, under the Massachusetts Wetlands Protection Act and/or Andover Wetlands Protection By-Law for the proposed replacement of an existing sewer line at Burton Farm Road and Enmore Street.

Agent Cleary presented this to the Commission. This was continued from December 19, 2013 for DEP Comments. DEP has no comments. Staff to change Finding Nos. 6 and 9 to include “removal and/or backfill”.

Commissioner Porter inquired as to how much clearing will be done for this project. Whatever vegetation is within the easement is allowed to be cleared.

Chairman Cooper asked for a Motion. Commissioner Porter made a Motion to close the public hearing and issue the Order of Conditions with Amendments discussed; it was seconded by Commissioner Driscoll and unanimously approved.

### **276 North Main Street**

**Present in Interest: Maureen Hanley and Jack McQuilkin**

*Staff Recommendation: Close Public Hearing.*

Continued Public Hearing on a Notice of Intent filed by Bill Langlois, Sasha Associates Trust, under the Massachusetts Wetlands Protection Act and/or Andover Wetlands Protection By-Law for the proposed replacement of an existing stone culvert, reconstruction of a stone wall and resurfacing and paving of driveway at 276 North Main Street.

Mr. Douglas presented this to the Commission. This was continued from December 19, 2013 for a site visit and DEP clarification regarding culvert sizing. Since our last hearing, the culvert now has a hole and needs to be replaced. This is a long established culvert with an established ecosystem behind it consisting of a red maple swamp. If the culvert is opened to meeting the stream crossing standards, it may drain the wetland. Currently, animals are able to cross the stream at a few different points.

Jack McQuilkin agreed that the openness of the stream crossing standard is to allow wildlife to cross. If the new culvert is opened to meet the standard, the opening would almost double in size allowing for more water to flow during a large storm. For these reasons, the Applicant has decided to replicate exactly what is in place now with only a slightly larger culvert.

Chairman Cooper asked for a Motion. Commissioner Porter made a Motion to close the public hearing; it was seconded by Commissioner Greenwood and unanimously approved.

### **ACTION ITEMS:**

**Courtney Lane (15 County Road and Behind 19 County Road and Roadway)**

*Staff Recommendation: Approve*

Request for Temporary Cessation of inspection reports during winter months.

Commissioner Porter made a Motion to Approve; it was seconded by Commissioner Driscoll and unanimously approved.

### **6 Prospect Road**

*Staff Recommendation: Approve.*

Request for temporary cessation of inspections during winter months.

Commissioner Driscoll made a Motion to Approve; it was seconded by Commissioner Porter and unanimously approved.

### **344 River Road**

*Staff Recommendation: Issue Order of Conditions.*

Issuance of Order of Conditions.

Commissioner Driscoll made a Motion to Approve and Issue the Order of Conditions; it was seconded by Commissioner Porter and unanimously approved.

### **Legends Phase I and II**

*Staff Recommendation: Approve.*

Request for temporary cessation of inspection reports during winter months.

Commissioner Driscoll made a Motion to Approve; it was seconded by Commissioner Greenwood and unanimously approved.

### **LATE/DISCUSSION ITEMS THAT MAY REQUIRE A VOTE:**

#### **Doyle Link Reservation**

##### **Present in Interest: David Bunting**

1000 feet of the Bay Circuit Trail will be moved from High Plain Road to behind the houses. A 1000 foot boardwalk through Doyle Reservation will be constructed with all work done by hand. Commissioner Greenwood asked that all sawdust from the pressure treated wood be removed from the wetland area.

Commissioner Greenwood made a Motion to Approve; it was seconded by Commissioner Driscoll and unanimously approved.

#### **178 Jenkins Road**

The Board of Health has revoked the Emergency Certification as the homeowner did not complete repairs. The homeowner must now file with Conservation for septic repair.

**36 Sunset Rock Road**

Sign corrected Certificate of Compliance.

**Overseer Appointment**

Commissioner Porter would like to put forth Len Shokum as an Overseer for approval.

Commissioner Driscoll made a Motion to Approve; it was seconded by Commissioner Greenwood and unanimously approved.

**Executive Session**

Tabled to next meeting.

**The next meeting will be held January 21, 2014 at 7:45pm.**

**The meeting was adjourned at 8:59pm by Motion of Commissioner Driscoll and seconded by Commissioner Porter and unanimously approved.**

**Respectfully submitted by,**

**Lynn Viselli,  
Recording Secretary**